

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

JOE CUMMINGS BONNER, JR.,

Plaintiff,

v.

GLORIA DAUM,

Defendant.

Case No. 2:21-cv-00757-JR

OPINION AND ORDER

MOSMAN, J.,

On November 30, 2022, Magistrate Judge Jolie A. Russo issued her Amended Findings and Recommendation (“F&R”) [ECF 64] recommending that this Court grant Defendant’s Motion for Summary Judgment [ECF 56]. No objections were filed. Upon review, I agree with Judge Russo. I GRANT the Motion for Summary Judgment.

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court

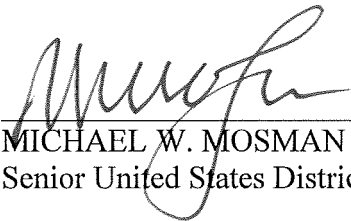
is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

CONCLUSION

Upon review, I agree with Judge Russo's recommendation, and I ADOPT the F&R [ECF 64]. I GRANT the Motion for Summary Judgment [ECF 56].

IT IS SO ORDERED.

DATED this 30 day of January, 2023.



MICHAEL W. MOSMAN
Senior United States District Judge